

E. JEFFREY GRUBE (SB# 167324) jeffgrube@paulhastings.com
KERRI N. HARPER (SB# 217377) kerriharper@paulhastings.com
ANNA L. CHU (SB# 243378) annachu@paulhastings.com
PAUL, HASTINGS, JANOFSKY & WALKER LLP
55 Second Street, 24th Floor
San Francisco, CA 94105-3441
Telephone (415) 856-7000
Facsimile (415) 856-7100

Attorneys for Defendants
UNITED PARCEL SERVICE, INC., TONY AGENJO, and
KIMBERLY MUNIZ

STEVEN J. MEHLMAN (SB# 95881) steven@mehlman-terbeek.com
MARC L. TERBEEK (SB# 166098) marc@mehlman-terbeek.com
MATTHEW M. OLIVERI (SB# 230486) matt@mehlman-terbeek.com
MEHLMAN-TERBEEK, LLP
2125 Oak Grove Road, Suite 125
Walnut Creek, CA 94598-3575
Telephone (925) 935-3575
Facsimile (925) 935-1789

Attorneys for Plaintiff
MARK HARRIS

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MARK HARRIS,

Plaintiff,

vs.

UNITED PARCEL SERVICE, INC., an
Ohio Corporation; TONY AGENJO;
KIMBERLY MUNIZ; and DOES 1
through ONE HUNDRED, inclusive,

Defendants.

CASE NO. C-08-0315 MMC

**STIPULATION THAT CASES ARE NOT
RELATED, PURSUANT TO NORTHERN
DISTRICT OF CALIFORNIA CIVIL
LOCAL RULE 3-12**

1 MARK HARRIS,

2 Plaintiff,

3 vs.

4 UNITED PARCEL SERVICE, INC., an
5 Ohio Corporation; TONY AGENJO;
6 KIMBERLY MUNIZ; and DOES 1
through ONE HUNDRED, inclusive,

7 Defendants.

CASE NO. C-08-01810 JSW

STIPULATION

The parties in *Mark Harris v. United Parcel Service, Inc., et al.*, Case No. C-08-0315 MMC ("*Harris I*"), and *Mark Harris v. United Parcel Service, Inc., et al.*, Case No. C-08-01810 JSW ("*Harris II*"), by and through their counsel of record, hereby stipulate as follows:

1. *Harris I* and *Harris II* involve the same facts, parties, transaction, and events.

2. However, because the Court remanded *Harris I* at an early stage, *i.e.* before there was any discovery, motion practice, or court appearances, there is little to no likelihood that there will be an unduly burdensome duplication of labor and expense. Therefore, *Harris I* and *Harris II* are not related, pursuant to Northern District of California Local Rule 3-12(a)(2).

3. This matter should proceed before Judge White.

SO STIPULATED.

DATED: April 8, 2008

E. JEFFREY GRUBE
KERRI N. HARPER
ANNA L. CHU

PAUL, HASTINGS, JANOFSKY & WALKER LLP

By: /s/ Kerri N. Harper

KERRI N. HARPER

Attorneys for Defendants
UNITED PARCEL SERVICE, INC., TONY AGENJO,
AND KIMBERLY MUNIZ

DATED: April 8, 2008

STEVEN J. MEHLMAN
MARC L. TERBEEK
MATTHEW M. OLIVERI

MEHLMAN-TERBEEK, LLP

By: /s/ Matthew M. Oliveri

MATTHEW M. OLIVERI

Attorneys for Plaintiff MARK HARRIS